

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MEHDI GABAYZADEH, *Pro Se*

Plaintiff,

-against -

BENJAMIN BRAFMAN, BRAFMAN & ROSS, P.C.,  
BRAFMAN & ASSOCIATES, P.C., ROBERT F. KATZBERG,  
KAPLAN & KATZBERG, JENNIFER A. LIANG, DEBORAH  
A. SCHWARTZ,

Defendants.  
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Civil Action No.:  
09 CV 4095 (PAC)(JCF)

**DECLARATION OF**  
**THOMAS W.**  
**HYLAND**

**Hon. James C. Francis**

THOMAS W. HYLAND, declares, pursuant to the provisions of 28 U.S.C. § 1746:

1. I am a member of the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, attorneys for Defendants Robert F. Katzberg and Kaplan & Katzberg ("Katzberg").

I am fully familiar with the facts and circumstances set forth herein.

2. This declaration is submitted, together with the exhibits annexed hereto and the Memorandum of Law, in support of Katzberg's motion for an Order dismissing the claims asserted against them in the Complaint with prejudice pursuant to Fed. R. Civ. P. Rules 12 (b)(6) and 9(b); and such other further and different relief as this Court deems just and proper.

3. A copy of Plaintiff's Complaint is annexed hereto as Exhibit "A."

4. A true and accurate copy of the Verdict Sheet in United States of America v. Mehdi Gabayzadeh; 03-CR-162(S-2)(JS), dated April 13, 2005, executed by the Foreperson Hon. Debra A. James' Order dated December 14, 2006, is annexed as Exhibit "B".

Dated: New York, New York  
July 28, 2009

Yours etc.,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: 

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